

REMARKS

The Non-Final Office Action mailed November 21, 2008 has been reviewed and carefully considered. In view of the above amendments and the following remarks, reconsideration of the above-identified application is respectfully requested.

Claim 36 is pending in this application. Claims 1-7, 10-18, 22-31 and 34 have been cancelled without prejudice. Claims 8-9, 19-21, 32-33 and 35 have been withdrawn. New claim 36 has been added. No new matter has been added.

§101 REJECTIONS

Claims 1-7, 10-13 and 28-31 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1-7, 10-13 and 28-31 have been cancelled without prejudice. Withdrawal of the 101 rejection is respectfully requested.

§103 REJECTIONS

Claims 1-7, 14-18, 22-24, 26-31 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod.com (hereinafter "Peapod") in view of U.S. Patent No. 6,339,745 to Novik (hereinafter Novik). Further, claims 10-13 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod in view of Novik and in further view of Behnke (U.S. 4,360,875).

Claims 1-7, 10-18, 22-31 and 34 have been cancelled without prejudice. Therefore, withdrawal of the 103 rejections is respectfully requested.

New claim 36 has been added as follows:

36. (New) A system for delivering at least one service to at least one service requester from a plurality of service requesters, each service requester being at a known postal address, the system comprising:

- a cross-referencing module for correlating a pin number of a service requestor to terrestrial coordinates precisely corresponding to said postal address, and forming a cross-referenced location for said at least one service requester;

- a database for storing information pertaining to said at least one postal service applicable to each of said plurality of service requesters to be delivered at said known postal address;

- at least one mobile delivery vehicle equipped for performing real-time customized services for each service requestor, wherein each delivery vehicle includes a choice of a plurality of items reflecting the needs of each service requestor;

- a service provider module for identifying a delivery vehicle nearest to the terrestrial coordinates of the service requester, the delivery vehicle nearest to the terrestrial coordinates of the service requester for preparing in real-time en route to the service requestor prior to arrival, a customized service to be performed for said at least one service requestor based on said information retrieved from said database at said cross-referenced location; and

- means for notifying a surrogate of said service requestor of the completion of a particular delivery of said service.

Claim 36 is supported by the specification as filed, e.g., on page 12, lines 25 to page 14, line 6

In Peapod, set delivery routes are predetermined upon compiling several different orders from within certain areas. Peapod is NOT equipped for real-time delivery of custom orders, and shoppers are NOT able to receive orders from delivery vehicles which are determined to be nearest to them in real-time.

Moreover, as previously acknowledged by the Examiner, Peapod fails to disclose or suggest at least correlating a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, and identifying a vehicle nearest to the **terrestrial coordinates** of a client/addressee. With regards to any alleged 'geographic location' teaching, Peapod merely refers to pre-specified areas in which grocery delivery services are offered, wherein a customer can determine if they are in a

Peapod service area by entering their zip code online on the Peapod website. This is not to be confused with or interpreted as disclosing wherein precise terrestrial coordinates are directly inferred from a client-entered pin number.

Novik does not in any way involve or teach real-time delivery of custom orders/services to service requestors. Instead, Novik teaches a system for tracking, monitoring and displaying the positions of vehicles in a fleet from a base station for the purpose of allowing a user to manage fleet operations for maintaining fleet safety and security. While GPS technology is utilized and generally mentioned in Novik, such position-determining technology is merely used to record the GPS information for each vehicle and communicate the GPS information to a base station for **tracking** purposes. *See e.g.*, Col. 4, lines 19-54. Search functions taught in Novik involve wherein a user enters a location and a map is generated. *See* FIG. 11. The user in Novik is able to find a location based on geographically-related information such as a street address city, state, latitude, longitude.

Behnke discloses aflexible-route transportation system using privately-owned vehicles to provide ridesharing transportation to the public, in which communication terminals are provided through which drivers may transmit ride offers to the public. Behnke simply teaches a system for matching ride offers with ride requests within reasonable limits of space and time. However, Behnke's vehicles are limited to offering one type of service only (a ride), and have no provision or ability for preparing customized services for service requestors. In Behnke, there is no preparation in real-time (in advance of arrival at a location of a service requestor) of a customized service to be performed which has been tailored to that service requestor.

Neither Peapod, Novik and/or Behnke disclose or suggest at least one mobile delivery vehicle equipped for performing real-time customized services for each service requestor, wherein each delivery vehicle includes a choice of a plurality of items reflecting the needs of each service requestor; a service provider module for identifying a delivery vehicle nearest to the terrestrial coordinates of the service requestor, the delivery vehicle nearest to the terrestrial coordinates of the service requestor for preparing in real-time en route to the service requestor prior to arrival, a customized service to be performed for said at least one service requestor based on said information retrieved from said database at said cross-referenced location; and means for notifying a surrogate of said service requestor of the completion of a particular delivery of said service, essentially as claimed in claim 36.

Accordingly, claim 36 is asserted to be patentable and nonobvious over Peapod in view of Novik and/or Behnke for at least the reasons stated above.

Withdrawal of all the rejections and early and favorable reconsideration of the case is respectfully requested.

CONCLUSION

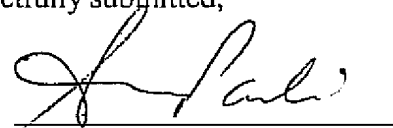
In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Non-Final Office Action of November 21, 2008 be withdrawn, that pending Claim 36 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-0510.

Respectfully submitted,

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